

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

KENNETH REVEN McCLAIN,

Plaintiff,

v.

**WILL BUESCHEL, and
UNITED STATES,**

Defendants.

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Civil Action No. 3:09-CV-1721-M-BH


**ORDER ACCEPTING FINDINGS, CONCLUSIONS, & RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate Judge on *Defendant United States' Motion to Dismiss and Memorandum in Support*, filed November 30, 2009. No objections were filed, but Plaintiff filed a Motion to Remand the state claims. The District Court reviewed the proposed Findings, Conclusions, & Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

Defendant United States' Motion to Dismiss, filed November 30, 2009, is **GRANTED**.

There being no remaining federal claims, Plaintiff's remaining claims are remanded to the County Court at Law No. 2 of Dallas County, Texas.

SIGNED this 2nd day of March, 2010.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS